

REMARKS

Reconsideration and allowance are respectfully requested. Claims 1-23 are pending.

Claims 1-2, 5-6, and 9-13 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Bolnick et al. in view of Choy in further view of Porcaro. Claims 16-23 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Choy in view of Porcaro. These rejections are respectfully traversed.

The Examiner concedes that Bolnick or Choy do not disclose, “a save-as function for the data structures is entirely excluded so as to be incapable of being executed”. The Examiner contends that Porcaro discloses a method for resolving file system conflicts “wherein the rename function cannot be performed as reads on the claimed limitation that the save-as function is entirely excluded”.

Applicant submits that the Porcaro teaches that a rename function cannot be performed only in certain circumstances. See column 8, lines 28-43 of Porcaro. In fact, in Porcaro, the rename function is capable of being executed; specifically, at column 4, lines 51-52, Porcaro teaches that the file or directory was renamed when replayed on the server. Furthermore, Porcaro teaches at column 5, lines 41-43 that “changes can include creating, renaming or deleting (removing) files...” Thus, renaming can occur in Porcaro. This is not a teaching of a save-as function for the data structures being entirely excluded so as to be incapable of being executed as claimed.

Furthermore, “rename” is not the same function as the claimed excluded “save as” function and therefore does not read on the claimed “save as” function as the Examiner contends. Even if the teachings of Porcaro were employed in the invention of Bolnick as modified by Choy, or Choy alone, the result would be to prevent a rename function to be performed under certain circumstances. This does not suggest a save-as function for the data structures being entirely excluded so as to be incapable of being executed as claimed.

An evaluation of obviousness must be undertaken from the perspective of one of ordinary skill in the art addressing the same problems addressed by the applicant in arriving at the claimed invention. Bausch & Lomb, Inc. v. Barnes-Hind/Hydrocurve, 23 USPQ 416, 420 (Fed. Cir. 1986), cert. denied, 484 US 823 (1987). Thus, the claimed

structures and methods cannot be divorced from the problems addressed by the inventor and the benefits resulting from the claimed invention. In re Newell, 13 USPQ2d 1248, 1250 (Fed. Cir. 1989).

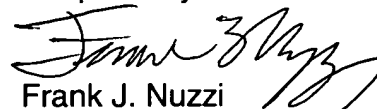
Porcaro is directed to a method for resolving file system conflicts between a client file system and a server file system after the client file system has been disconnected from the sever file system, and is not within the field of the inventor's endeavor, namely providing naming and manipulation functions for data structures in a data system using transaction service within electronics assembly engineering systems; further, Porcaro is not reasonably pertinent to the particular problem with which the inventors were involved, namely manipulating data structures having referential integrity in a system employing transaction service. Porcaro provides no disclosure or suggestion of excluding a "save as" function, and as such is non-analogous art. In re Wood, 202 USPQ 171, 174 (CCPA 1979).

For the reasons presented above, the rejections are improper and should be withdrawn.

Claims 3-4, 7-8, and 14-15 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Bolnick et al. in view of Choy, in view of Porcaro and further in view of Ferrel et al. These claims are dependent claims and are considered to be allowable for the reasons advanced above, and for the additional reason that the added subject matter thereof is neither taught nor suggested by the prior art of record.

All objections and rejections having been addressed, it is respectfully submitted that the subject application is in condition for allowance and a Notice to that effect is earnestly solicited.

Respectfully submitted,



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